



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

वीरवार, 11 जून, 2015 / 21 ज्येष्ठ, 1937

हिमाचल प्रदेश सरकार

ELEMENTARY EDUCATION DEPARTMENT

NOTIFICATION

Shimla-171002, the 6th June, 2015

No. EDN-C-A(3)-3/2013-Vol.-I-L.—The Governor, Himachal Pradesh is pleased to notify guidelines as per Annexure-A for 25% admission of children belonging to weaker section and disadvantaged group in private unaided schools in Himachal Pradesh in accordance with the provision of RTE Act, 2009 under section-12 and Rules there under.
Encls. Annexure-A.

By order,
Sd/-

Addl. Chief Secretary (Education).

Guidelines for admission and reimbursement of children under Section 12 of RTE Act

In pursuant to the Government notification No. EDN-C-F(10)-8/2009-L dated 16th March, 2013 regarding amendment in Rule-5 and further insertion of rules 5-A and 5-B in the Right of Children to Free and Compulsory Education Himachal Pradesh Rules, 2011, Guidelines for 25% admission of children belonging to weaker section and disadvantaged group in private unaided schools in Himachal Pradesh in accordance with the provisions of RTE Act, 2009 under section-12 and Rules are framed as under:--

Definitions- In these guidelines, unless the context otherwise requires:

- (a) **“RTE Act”** means the Right of Children to Free and Compulsory Education Act, 2009 as amended from time to time.
- (b) **“Rules”** means the Right of Children to Free and Compulsory Education, Himachal Pradesh Rules, 2011 as amended from time to time.
- (c) **“Class”** includes the entry level class such as pre-primary.
- (d) **“School”** means a school as defined under sub-clauses (ii), (iii) and (iv) of clause (n) of section-2 which provide education up to elementary level.
- (e) **“Neighbourhood”** as defined in Rule 4(1) of the Right of Children to Free and Compulsory Education, Himachal Pradesh Rules, 2011.

1. Provisions for reservation of seats :

- (a) Admission process for 25% children belonging to weaker section and disadvantaged group as per the provisions of section-12 of RTE Act, 2009 and Rules made there under shall be initiated by the Government Primary schools and unaided private schools, if the neighborhood government school has the enrollment more than 25 children as per Rule 4(1) of the Rules.
- (b) In-Charge of neighbourhood Government Primary school shall issue NOC to the neighbourhood private school regarding 25% admission of children belonging to weaker section and disadvantaged group on or before 15th April after having been satisfied on clause 1(a) above.
- (c) These schools must be recognized by the competent authority of the Department of Elementary Education as per the provision of Rule 9.
- (d) Every recognized private school shall convey the class-wise breakup of approved seats and enrolment to their counterpart neighbourhood Government Primary schools during admission process on or before 31st March as per following format:--

Primary				Upper Primary			
Classes	Approved strength of the class	Enrolment	25% Free Ship Seats	Classes	Approved strength of the class	Enrolment	25% Free Ship Seats

I				VI			
II				VII			
III				VIII			
IV							
V							
Total				Total			

2. The Government is committed and obligated to provide a Govt. Primary School at a distance of 1.5 Km if the number of children are 25 and similarly committed to provide a Govt. Middle School at a distance of 3 Km if the number of children are not less than 25 in class 5th. As the State has already opened Government Primary Schools and Government Middle Schools at almost all places, reimbursement for 25% Children of weaker section and disadvantaged group admitted in the privately managed Schools shall be made if the enrolment of Children in Govt. Primary School situated within radial distance of 1.5 Km is not less than 25 Children and similarly enrolment in the Govt. Middle School within the radial distance of 3 Km is not less than 40 Children in class 8th. Enrolments of students will be taken into account as on 30th September of the year. For the purpose of this clause neighbourhood means:--

- “(i) a primary school which is located within a walking distance of 1.5 kms (one and half a kilometers).
- (ii) an upper-primary school which is located within a walking distance of 3kms(three kilometers).

The State Government shall not reimburse any amount if any student seat remains vacant in the neighbourhood Government School.

3. Manner of reservation of seats

(a) In accordance with the provisions of clause (3) of section-12 of the Act, every school shall display on its notice board, the following information:

- (i) Total number of seats at the entry level in the school
- (ii) Total number of free seats available at entry level
- (iii) Date of commencement of issue of application forms for the admission and the last date of its submission.
- (iv) Date of eligible candidates list to be displayed for draw
- (v) Date of draw of lots
- (vi) Date of display of the list of successful candidates along with waiting list
- (vii) Last date of admission
- (viii) Opening date of the school for the next academic year

(b) Every school shall submit the information in **Form-1** after completing the entire process to the Block Elementary Education Officer in case of primary school.

(c) No registration fee, including charges of prospectus or admission format, shall be charged from the parents/children applying against free seats. The school shall provide Admission Format on **Form-II** free of cost to parents/children.

(d) The School shall acknowledge the application for admission against free seats through a receipt in **Form-III** showing the details of serial no. 2 (a) (i) to (viii) and shall assign each application a distinct registration number.

(e) In case, the application of any child is found not to be in order and is rejected, the reasons for its rejection shall be recorded and communicated to the parent/guardian.

(f) In case the number of application for admission against the free seats is less than the number of seats available other than at serial no. 1(a), admission shall be made from the available application and vacant seats shall be re-notified for inviting further application by following the similar procedure. If free seats still remain vacant, then these seats may be filled from the other categories.

(g) In case the number of application for admission against the free seats at entry level classes exceeds the number of seats available, admission shall be made by draw of lots in the presence of parents of the applicants, a representative of School Management Committee and of a nominee of Education Department, not below the rank of Principal nominated by DDEE.

(h) The school shall furnish all such details as mentioned at serial no. 2 (a), (b), (c), (d), and

(e) regarding free-ship seats on its website if available and also on official website www.himachal.nic.in/eleedu or www.hp.gov.in/ssa of Directorate of Elementary Education giving all details through the link provided by the department on the same day or latest by next day of the events. Unique ID shall be generated for every admitted child, which shall remain the same during the stay of the child in the school.

4. Documents required for admission of 25% children

- (i) Age proof certificate shall be accompanied as per Rule-8 and clarification on provisions under RTE Act issued by Government of India, Department of School Education and Literacy dated 31-01-2012.
- (ii) Every application for the admission of children belonging to weaker section and disadvantaged group other than disabled for the purpose of free ship seats shall be accompanied by a **Below Poverty Line certificate (BPL)** in the name of parent or child or guardian issued by the competent /authorized officer issued within last six months.
- (iii) Every application for the admission of child belonging to SC, ST and OBC shall be accompanied by a caste certificate in the name of child issued by the competent/authorized officer.
- (iv) Every application for the admission of child belonging to persons with disabilities as per Person with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Rules, 1996 of Rule-4 shall be accompanied by a certificate in the name of child issued by the competent authority.
- (v) Every application for the admission of children belonging to weaker section and disadvantaged group below poverty line (BPL) other than disabled children shall be accompanied by a Certificate of neighbourhood as per clause 4 (1) of the Rules issued by the officers not below the rank of Naib-Tehsildar or Junior Engineer (PWD).

5. Procedure for fee reimbursement :

- (i) A school not receiving any kind of aid or grants to meet its expenses from the State Government or the local authority shall be entitled to get fee reimbursement for every

child admitted against free seat as per the provisions of sub-section (2) of section-12 of the Act and Rules made there under.

- (ii) A school receiving aid or grant or any other facilities since its inception (like grant of land on lease) to meet whole or part of its expenses from the State Government or local Authority, shall not be entitled to any additional grant towards reimbursement under these Rules.
- (iii) Obtaining U-DISE code from the Sarva Shiksha Abhiyan is mandatory to become eligible for claiming fee reimbursement against free seats from the department.
- (iv) A half-yearly statement by the school under sub-section (2) of section-12 and Rules made there under claiming fee reimbursement of children admitted against free seats on **Form-IV** shall be submitted to the Block Elementary Education Officer. The Block Elementary Education shall verify the fee reimbursement documents as per norms and the same may be submitted to the Deputy Director of Elementary Education.
- (v) NOC from neighbourhood Government Primary School must be enclosed with the fee reimbursement claim bill as per clause 1(b) of guidelines.
- (vi) The authorized officer of the department on verification of the information so submitted and subject to the provisions contained in section-12 of the Act and Rules made under there, shall make the payment in two installment, as follows:
 - (a) First installment of 50% due after September of the academic year.
 - (b) Second installment due after March or close of the academic year, whichever is later:

Further provided that, fee reimbursement for the children admitted in the pre-school shall be admissible when such child is admitted in 1st class.
- (vii) The school shall open separate bank account for fee reimbursement in a Scheduled Bank.

6. General Conditions

- (i) The Head of the school and all the members of the body owning the school shall be responsible for compliance of admission and the head of the school will verify the list of students and other documents, so admitted.
- (ii) Any Authorized Officer of Directorate of Elementary Education may verify such admission and may call details/records of such admission.
- (iii) Any parent, aggrieved by the action of the school may file a complaint in writing to the Deputy Director of Elementary Education.
- (iv) Above officer as mentioned in serial no. 5(iii) shall maintain the Register or database of the grievances and shall take immediate appropriate action for its redressal.
- (v) The Director of Elementary Education , Government of Himachal Pradesh, if he is of opinion that in the interest of school education in Himachal Pradesh, in general and in order to implement the provisions of this order in particular, it is necessary so to do , may issue instructions/guidelines/clarifications from time to time.

(vi) Guidelines and format can be downloaded from the official website www.himachal.nic.in/eleedu or www.hp.gov.in/ssa.

7. The expenditure regarding fee reimbursement of 25% admission of the weaker section and disadvantaged group to the unaided private managed schools shall be incurred from the following Budget Head:--

Sr. No.	Demand No.	Head of Account
1	08	2202-01-102-03(OC)SOON
2	32	2202-01-789-14(PPLAN)
3	31	2202-01-796-18 SOON(PPLAN)

8. The Deputy Director of Elementary Education of the concerned district will release the amount of 25% admission of the weaker section and disadvantaged group to the unaided private managed schools through RTGS after proper verification by the concerned Block Elementary Education Officer.

9. As far as the financial implication vis-à-vis fee reimbursement claim is concerned, the same would be submitted to the Government as per formulae in the Rules after collecting data from the field for approval before reimbursement is actually made.

Form-I {Refer para 2(b)}

Form for Admission against free seats in entry level classes for children of weaker section and disadvantaged group in the State of Himachal Pradesh for Academic Year 201 -1

(To be submitted after completion of admission process to Block Elementary Education Officer)

Name of the School:-----
 Recognition No. of School as per RTE Act, 2009-----
 U-DISE Code:-----
 Address: :-----
 Name of the Education Block-----District-----
 Contact No.-----Fax-----
 e-mail-----
 Name of Principal/Official in-charge of Admission:-----

Sl. No.	Particulars	
1.	Total Number of seats available Pre-Primary Class	Total Seats : General Seats : Free Seats (at least 25% of total seats : Free seats filled : Free Seats remained vacant :
2.	Total Number of seats available First Class	Total Seats : General Seats : Free Seats (at least 25% of total seats : Free seats filled : Free seats remained vacant :

3.	Date of issue of Admission Forms	
4.	Period of submission of Admission Forms	From to
5.	Date of display of list of eligible candidates	
6.	Date of draw of lots (if number of application are more than the number of free seats).	Date Time
7.	Date of display of list of successful candidates In the draw of lots along with waiting list.	Date Time
8.	Last date of admission	
9.	Date of commencement of academic year	
10.	Per child per month fee charges from a (other than 25%) student at 1st class.	
11.	Per child per month fee charges from a (other than 25%) student at 6th class	
12.	Last date of deposit of fee for successful candidates in case of pre-primary class	

Place:

Signature of the Principal with stamp

Dated:

Form-II{Refer para 2(c)}**Application Form for Admission under free seats Quota at entry level classes for children of weaker section and disadvantaged group in the State of Himachal Pradesh for the Academic Year 201 -1**

(To be submitted to admission school by the Parent/Guardian)

Name of the School:-----

Address: :-----

Name of the Education Block-----District-----

Registration Number of Child (To be filled by the school) Please Tick whichever is applicable (i) Weaker Section ☐(ii) Disadvantaged group (Attach Proof) ☐

S. No.	Particulars	
1.	Name of the Child	
2.	Name of Parents/Guardian	Mother : Father : Guardian :
3.	Date of Birth of Child	
4.	Residential Address with PIN Code	
5.	Telephone/Mobile Number, if any	
6.	Proof of residential address	
7.	Profession of Parents	Mother : Father : Guardian :
8.	Total Annual Income of Parent/Guardian from all sources	

Declaration by the Parent/Guardian :

I-----Mother/Father/Guardian of-----hereby declare that the information mentioned above is true and correct to the best of my knowledge and belief. I have read and understood all the provisions of the notification/directions in this regard. I am fully aware that in case any information found false or incorrect on verification, the admission of my ward may be cancelled.

Place:

Signature of the Parents/Guardian

Dated:

Form-III {Refer para 2(d)}**Registration Slip under free seats Quota at entry level classes for children of weaker section and disadvantaged group in the State of Himachal Pradesh for the Academic Year 201 -1**

(To be issued to Parent by the school)

Name of the School:-----

Recognition No. of School as per RTE Act, 2009-----

U-DISE Code:-----

Address: :-----

Name of the Education Block-----District-----

Telephone No.-----Fax-----

Name of Principal/Official in-charge of Admission:-----

Registration Number of Child

Please Tick whichever is applicable (i) Weaker Section

☐

(ii) Disadvantaged group

☐

S.No.	Particulars	
1.	Name of the Child (Application received from)	
2.	Name of Parent/Guardian	Mother : Father : Guardian :
3.	Date of received of Application	
4.	Date of draw of lots (if required)	
5.	Date of display of eligible candidate for Draw/Lottery.	
6.	Date of display of list of successful candidates In the draw of lots along with waiting list.	
7.	Last date of admission	

Place:

Signature of the Principal with Stamp

Dated:

2. Free seats quota Students by Sex and Social Category

3. Performance of free seats quota students

Total number of school days during the period: -----						
S. No.	Admission No.	Name of the Student	Name of Father/Mother/Guardian	Number of days school attended	Aggregate grade at the time of claim bill submission	Remarks
1.						
2.						
3.						
4 and so on						

4. Information regarding Grants :

- Did you receive any grant for any purpose from the State Government /Central Government/Municipal Corporation/ Gram Panchyat or other Government agencies since the inception of the school? If yes (Please specify).
- Did you receive any land or grant for the construction/renovation of school building from the State Government /Central Government/Municipal Corporation/Gram Panchyat or other Government agencies since the inception of the school? If yes (Please specify).

5. Fee Structure of the School

Provide the information regarding fee charged from the children, other than the weaker section and disadvantaged group (**Enclose proof such as bank statement or counterfoil of payment received or any other authentic document for primary and upper primary classes separately**).

Period	Fee	Building Fund	Computer Fund	Science Fund	Any other Fund	Total
Monthly						
Annually						

6. Reimbursement of claim format for the students belonging to 25 % category**i. Month-wise and Class-wise Claim**

Class	Month	Rate of Amount per Student	No. of Students	Total Amount	Remarks
I	April				
	May so on				

Note: Provide similar information of other classes

ii. Total reimbursement and Information for Electronics Transfer

Section	Total Amount	Grand Total	Name of the Bank	Name of the Branch	Account Number	IFSC Code
Primary						
Upper Primary						

Note: attach the enrollment certificate from the Governments schools as per S.No.1 (b)

Verification

It is certified that the above said particulars provided by the school for obtaining the fee reimbursement claim for 25% of students belonging to the weaker section and disadvantaged group are correct with further undertaking that all provisions as contained in the Right of Children to Free and Compulsory Education Act, 2009, and the Rules framed there under, are being complied with.

Place:
Stamp
Dated:

Signature of the Principal with

Verification by the Block Elementary Education Officer of the concerned Block

Verified and found correct

Name of the EEB
Dated

Signature with Stamp
Name of the BEEO
Contact No.

No.----- dated -----

FORMAT OF NO OBJECTION CERTIFICATE { Refer para 1 (b)}

(To be submitted by Incharge of Government Primary School to Neighbourhood Private School)

To,

The Headmaster/Principal,

Sub.-- NOC regarding 25% admission of Children belonging to weaker Section and Disadvantaged group.

Sir/Madam,

As per the provisions of RTE Act, 2009 and Rules/guidelines made there under, this school has enrolment of more than 25 students in Primary classes. Therefore, you are requested to start admission process for the year ----- as per norms issued by the appropriate Government.

Yours faithfully,

Incharge Government Primary School

Elementary Education Block-----

District-----

Contact No.-----

कार्मिक विभाग (नि०-III)**अधिसूचना**

शिमला-2, 6 जून, 2015

संख्या: पीईआर (एपी)-सी-ए (3)-1/2015.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की अधिसूचना संख्या पीईआर (एपी)-सी-ए (3)-1/2007 तारीख 11 जनवरी, 2012 द्वारा अधिसूचित हिमाचल प्रदेश कार्मिक विभाग, **कम्प्यूटर ऑपरेटर, वर्ग-III** (अराजपत्रित), सामान्य सीधी भर्ती और प्रोन्नति नियम, 2012 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश कार्मिक विभाग, कम्प्यूटर ऑपरेटर, वर्ग-III (अराजपत्रित), सामान्य सीधी भर्ती और प्रोन्नति (प्रथम संशोधन) नियम, 2015 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपाबन्ध-I का संशोधन.—(1) हिमाचल प्रदेश कार्मिक विभाग, कम्प्यूटर ऑपरेटर, वर्ग-III (अराजपत्रित), सामान्य सीधी भर्ती और प्रोन्नति नियम, 2012 के उपाबन्ध- "I" में :—

(1) स्तम्भ संख्या-7 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

(क) अनिवार्य अर्हता:

(i) किसी मान्यता प्राप्त विश्वविद्यालय से या हिमाचल प्रदेश/केन्द्रीय सरकार से सम्यक् रूप से मान्यता प्राप्त संस्थान से कम्प्यूटर एपलिकेशन/सूचना प्रौद्योगिकी/कम्प्यूटर विज्ञान में स्नातक की उपाधि या इसके समतुल्य।

या

(ii) हिमाचल प्रदेश/केन्द्रीय सरकार से सम्यक् रूप से मान्यता प्राप्त किसी बहुतकनीकी संस्थान से कम्प्यूटर साईंस/सूचना प्रौद्योगिकी में तीन वर्ष का डिप्लोमा या इसके समतुल्य।

या

(iii) किसी मान्यता प्राप्त विश्वविद्यालय से स्नातक की उपाधि या इसके समतुल्य; और

किसी मान्यता प्राप्त विश्वविद्यालय से या हिमाचल प्रदेश/केन्द्रीय सरकार से सम्यक् रूप से मान्यता प्राप्त किसी संस्थान से कम्प्यूटर एपलिकेशन/कम्प्यूटर प्रोग्रामिंग में कम से कम एक वर्ष का डिप्लोमा या इसके समतुल्य।

या

डीओईएसीसी सोसाइटी से "ए" स्तर का पाठ्यक्रम (कोर्स)।

(ख) वांछनीय अर्हता:—हिमाचल प्रदेश की रुढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।

(2) स्तम्भ संख्या-15-क(VII) (ग), (घ) तथा (ङ) के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

- (ग) संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। तथापि, संविदा पर नियुक्त कर्मचारी 135 दिनों के प्रसूति अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश के लिए भी हकदार होगा/होगी। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0, आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा:

परन्तु अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कैलेंडर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रनीत नहीं किया जाएगा।

- (घ) नियन्त्रक अधिकारी के अनुमोदन के बिना कर्तव्य से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हों, तो उसके नियमितीकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी किन्तु, पदधारी को इस बाबत समय पर नियन्त्रण अधिकारी को सूचित करना होगा। तथापि संविदा पर नियुक्त व्यक्ति कर्तव्य से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार चिकित्सा अधिकारी द्वारा जारी बीमारी/आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा।

- (ङ) संविदा के आधार पर नियुक्त कर्मचारी, जिसने तैनाती के एक स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो, आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।”

3. उपाबन्ध—“ख” का संशोधन.—1. हिमाचल प्रदेश कार्मिक विभाग, कम्प्यूटर ऑपरेटर, वर्ग—III (अराजपत्रित), सामान्य सीधी भर्ती और प्रोन्नति नियम, 2012 के उपाबन्ध—“ख” में.—

- (1) क्रम संख्या 4, 5 और 6 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

- “4. संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। तथापि, संविदा पर नियुक्त कर्मचारी 135 दिनों के प्रसूति अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश के लिए भी हकदार होगा/होगी। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0, आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा:

परन्तु अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कैलेंडर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रनीत नहीं किया जाएगा।

5. नियन्त्रक अधिकारी के अनुमोदन के बिना कर्तव्य से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हों, तो उसके नियमितीकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी किन्तु, पदधारी को इस बाबत समय पर नियन्त्रण अधिकारी को सूचित करना होगा। तथापि संविदा पर नियुक्त व्यक्ति कर्तव्य से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार चिकित्सा अधिकारी द्वारा जारी बीमारी/आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा।

6. संविदा के आधार पर नियुक्त कर्मचारी, जिसने तैनाती के एक स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो, आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।”

आदेश द्वारा,
एस0के0बी0एस0 नेगी
प्रधान सचिव (कार्मिक)।

[*Authoritative English text of Government Notification No. Per (AP)-C-A(3)-1/2015 Dated: 6th June, 2015 as required under clause (3) of Article 348 of the Constitution of India.*]

DEPARTMENT OF PERSONNEL (AP-III)

NOTIFICATION

Shimla-2, the 6th June, 2015

No. Per (AP)-C-A(3)-1/2015.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following Rules further to amend the Himachal Pradesh, Department of Personnel, **Computer Operator, Class-III** (Non-Gazetted) Common Direct Recruitment and Promotion Rules, 2012 notified vide this Department Notification No. Per (AP)-C-A(3)-1/2007 dated the 11th January, 2012, namely:—

1. Short title and Commencement.—(1) These rules may be called the Himachal Pradesh, Department of Personnel, Computer Operator, Class-III (Non-Gazetted), Common Direct Recruitment and Promotion (First Amendment) Rules, 2015.

(2) These rules shall come into force from the date of publication in the Rajpatra, H.P.

2. Amendment of Annexure-I.—1. In Annexure-‘I’ of the Himachal Pradesh, Department of Personnel, Computer Operator, Class-III (Non-Gazetted) Common Direct Recruitment and Promotion Rules, 2012:—

(1) For the existing provisions against Col. No. 7, the following shall be substituted, namely:—

“(i) Bachelor’s Degree in Computer Application/Information Technology/ Computer Science or its equivalent from a recognized University or from an Institution duly recognized by the H.P./Central Government.

OR

(ii) 03 Years Diploma Course in Computer Science/ Information Technology or its equivalent from a Polytechnic Institute duly recognized by the H.P. / Central Government.

OR

(iii) Bachelor’s Degree or its equivalent from a recognized University ; and Diploma of at least one year duration in Computer Application/ Computer Programming or its equivalent from a recognized University or from an Institute duly recognized by the H.P./ Central Government.

OR

“A” LEVEL Course from DOEACC Society.

(b) DESIRABLE QUALIFICATION (S):

Knowledge of customs, manner and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.”

(2) For the existing provisions against Col. No. 15-A(c),(d) and (e), the following shall be substituted, namely:—

“(c) Contract appointee will be entitled for one day’s casual leave after putting one month service. However, the contract appointee will also be entitled for 135 days’ maternity leave, 10 days medical leave and 5 days special leave. He/she shall not be entitled for medical re imbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

Provided that the un-availed casual leave, medical leave and special leave can be accumulated upto the calendar year and will not be carried forward for the next calendar year.

(d) Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty:

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

(e) An official appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.”

3. Amendment of Annexure-B.—1. In Annexure-‘B’ of the Himachal Pradesh, Department of Personnel, Computer Operator, Class-III (Non-Gazetted) Common Recruitment and Promotion Rules, 2012:—

(1) For the existing provisions against Sr. No. 4, 5 and 6, the following shall be substituted, namely:—

“(4) Contract appointee will be entitled for one day’s casual leave after putting one month service. However, the contract appointee will also be entitled for 135 days’ maternity leave, 10 days medical leave and 5 days special leave. He/she shall not be entitled for medical re imbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

Provided that the un-availed casual leave, medical leave and special leave can be accumulated upto the calendar year and will not be carried forward for the next calendar year.

- (5) Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for unauthorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty:

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

- (6) An official appointed on contract basis who has completed three years' tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.”

By order,
S.K.B.S. NEGI,
Principal Secretary(Personnel).